

REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

I. Claim Status and Amendments

Claims 15-32 are pending in this application. Claims 19-21, 26-28, 30 and 31 have been rejoined. Claims 15-18 and 32 are allowed, claims 19-21 and 27 are rejected, and claims 22-26 and 28-31 are objected to.

Claims 15, 19, 20, 22 and 25-31 have been amended to correct minor informalities and/or to more distinctly claim the intended subject matter. No new matter has been added.

Applicants gratefully acknowledge the Examiner's assistance and proposed Examiner's Amendments provided by the telephone conference and email communication of June 25, 2009.

II. Claim Objections

At page 3, item 6, the Office Action objects to claims 19, 20, 22, 25, 26, and 28-31 because of minor informalities. Currently amended claims 19, 20, 22, 25, 26, and 28-31 address each of the informalities pointed out in the Office Action, and make the recommended amendments as suggested by the Examiner. Currently amended claim 20 further clarifies the identity of the Osm1, Rac1, Kat1, Ost1, and Chl1

genes. Applicants respectfully request reconsideration and withdrawal of the objections.

III. Claim Rejections - 35 USC §112

At page 4, item 7, the Office Action rejects claims 19-21 and 27 under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action states that there is insufficient antecedent basis for "the encoded product" in claim 19, and for "said heterologous sequence" in claim 27. Applicants respectfully traverse the rejection.

Currently amended claims 19 and 27 address the issues pointed out in the Office Action and make the recommended amendments as suggested by the Examiner. Each of claims 19-21 and 27 satisfies the requirements of 35 U.S.C. §112, second paragraph. Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. Conclusion

Applicants have amended the claims in manner that is consistent with the Office's indication of allowable subject matter. Thus, the present application is in condition for allowance and early notice to that effect is hereby requested. If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,
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